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CASE HM/5-22028/A/CONT 2

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lynn Girolamo  
Type or print name

Lynn Girolamo  
Signature

7/2/04  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

WERNER HÖLZL ET AL

APPLICATION NO: 10/816,967

FILED: APRIL 2, 2004

FOR: HYDROXYDIPHENYL ETHER  
COMPOUNDS

Group Art Unit: 1621

Examiner: R. A. Keys

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR 1.56, Applicants wish to call the Examiner's attention to the references cited on the attached forms PTO-1449. These references are of record in parent applications Nos. 09/573,403 filed May 18, 2000 and 10/281,011 filed October 25, 2002 and copies are available therein.

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 forms.

Respectfully submitted,

Kevin T. Mansfield

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Encl. PTO-1449 Forms

**JUL 02 2004**

Sheet 1 of 3

FORM PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

HM/5-22028/A/CONT 2

Application Number

10/816,967

Applicant

WERNER HÖLZL ET AL

Filing Date

APRIL 2, 2004

Group Art Unit

1621

## U. S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER | DATE  | NAME            | CLASS | SUBCLASS | FILING DATE IF<br>APPROPRIATE |
|---------------------|--------------------|-------|-----------------|-------|----------|-------------------------------|
|                     | 3,753,914          | 8/73  | Berth et al     | 252   | 95       |                               |
|                     | 4,268,693          | 5/81  | Muntwyler et al | 568   | 637      |                               |
|                     | 4,980,153          | 12/90 | Jackson et al   | 424   | 52       |                               |
|                     | 4,238,626          | 12/80 | Nahm et al      | 562   | 472      |                               |
|                     |                    |       |                 |       |          |                               |
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## FOREIGN PATENT DOCUMENTS

|  | DOCUMENT<br>NUMBER | DATE  | COUNTRY     | CLASS | SUBCLASS | Translation |    |
|--|--------------------|-------|-------------|-------|----------|-------------|----|
|  |                    |       |             |       |          | YES         | NO |
|  | 148291             | 10/31 | Switzerland |       |          |             |    |
|  | 2538016            | 3/77  | Germany     |       |          |             |    |
|  | 1288747            | 2/69  | Germany     |       |          |             |    |
|  | 09135893           | 5/97  | Japan       |       |          |             |    |
|  |                    |       |             |       |          |             |    |

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

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|  | Chem. Abstr. Vol. 76, No. 1, (1972) 2525t  |
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|  | Hayashi et al., Development...their activity, J. Agric. Food Chem., Vol. 38(10), pp. 1965-1971 |
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|  | Venkatasubbaiah et al., Phytotoxic metabolites of...pokeweed, Mycologia, Vol. 84(5), abstract  |
|  |  |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



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|---|--------------------------|--------------------|
| <b>FORM PTO-1449</b><br><br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br><br>(Use several sheets if necessary) | Docket Number (Optional) | Application Number |
|   | HM/5-22028/A/CONT 2      | 10/816,967         |
|   | Applicant                |                    |
|   | WERNER HÖLZL ET AL       |                    |
|   | Filing Date              | Group Art Unit     |
|   | APRIL 2, 2004            | 1621               |

## U. S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF<br>APPROPRIATE |
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## FOREIGN PATENT DOCUMENTS

|  | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation |    |
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|  |                 |      |         |       |          | YES         | NO |
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|  | S. Shapiro et al., Quantitative Structure-Activity Relationships, Vol. 17, No. 4, (1998), pp. 327-337   |
|  | Chem. Abstr. Vol. 47, No. 4, 1644g for J. Pharm. Soc. Japan, Vol. 72, (1952), pp. 300-303   |
|  | Fujikawa et al., Antiseptics for foods diphenyl ether derivatives....as a preservative for sake, Yakugaku Zasshi, 1971, Vol. 91, (9), pp. 930-933, abstract |

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